

AMENDMENT UNDER 37 CFR § 1.116
Serial No. 09/899,265

REMARKS

At paragraph 27 of the Detailed Action, the Examiner characterised the Applicant's arguments as being "in substance that Tappan fails to teach or suggest that an area border router (ABR) of the data network has a respective forwarding policy, with differs from that of at least one other area border router (ABR) of the data network". The Examiner then allegedly finds these elements in the teaching of Tappan, and concludes that "the features upon which applicant relies (i.e. the differences between the Tappan forwarding polity and that of the Applicant's) are not recited in the rejected claims(s)". Applicant respectfully disagrees with the Examiner on each of these points.

In particular, in the response submitted October 26, 2005, Applicant argued at least two distinctions between the present invention and the teaching of Tappan:

- The present invention requires that "propagation of the LSA [is controlled] using a forwarding policy having a match criteria corresponding to [an] asserted route tag"
- The present invention requires that "the forwarding policy is implemented on a per-router basis, such that an area border router (ABR) of the data network has a respective forwarding policy which differs from that of at least one other area border router (ABR) of the data network"

Note that both of these limitations are explicitly defined in the independent claims.

In the response submitted October 26, 2005, Applicant admitted that Tappan teaches (see FIG. 9) a procedure for handling the forwarding of received LSA's. This procedure can be viewed as a "forwarding policy" of sorts. However, the person of

AMENDMENT UNDER 37 CFR § 1.116
Serial No. 09/899,265

ordinary skill in the art will immediately recognise that the "forwarding policy" of Tappan does not meet the limitations defined in the claims of the present application. In particular:

- Tappan does not teach or suggest that propagation of the LSA is controlled using a forwarding policy having a match criteria corresponding to an asserted route tag. Rather, the procedure of Tappan (See FIG. 9) controls propagation based on: whether the ABR originated the LSA (FIG. 9, block 50); whether the LSA originated in the next area (FIG. 9, block 52); and whether the LSA's link state ID is in the address range of a summary ISA that the ABR forwards into the next area (FIG. 9, block 58). The person of ordinary skill in the art will recognise that these forwarding decisions will be controlled by the content of the Advertising Router and Link-state ID fields, not the Route Tag field. As such, to the extent that the procedure of Tappan can be characterised as a forwarding policy, Tappan teaches directly away from the present invention by requiring match criteria corresponding to the Advertising Router and Link-state ID fields. Tappan does not teach or suggest that propagation of the LSA is controlled using a forwarding policy having a match criteria corresponding to the content of the route tag field.
- Tappan does not teach or suggest that the forwarding policy is implemented on a per-router basis, such that an area border router (ABR) of the data network has a respective forwarding policy which differs from that of at least one other area border router (ABR) of the data network. In the final rejection dated January 13, 2006, the Examiner asserts that "Tappan teaches that ABRs contain policies which differ from router to router", and refers to Col 1, lines 30-57). However, Col 1, lines 30-57 does not mention policies of any sort, much less policies for forwarding

AMENDMENT UNDER 37 CFR § 1.116
Serial No. 09/899,265

LSA's. Nor does this passage mention that such policies might differ between area border routers. Furthermore, the entirety of the Tappan teaching directly contradicts the Examiner's interpretation. In particular, Tappan teaches that each ABR implements the method of FIG. 9 to control the forwarding of LSA's. Tappan does not teach or suggest that only some ABR's will implement the method of FIG. 9, and indeed such an arrangement would appear to defeat the purpose of Tappan, because ABR's implementing standard OSPF LSA flooding would negate the "tunnelling" effect obtained by the method of Tappan.

In light of the foregoing, it is respectfully submitted that Tappan fails to teach or fairly suggest all of the features of the present invention. Furthermore, it is respectfully submitted that differences between the alleged "forwarding policy" of Tappan, and that of the present invention are explicitly defined in the independent claims.


Tappan does not teach or suggest that LSA forwarding is controlled using a forwarding policy having a match criteria corresponding to an asserted route tag. Furthermore, Tappan does not teach or suggest that the LSA forwarding policy is implemented on a per-router basis, such that each ABR can have a respective different LSA forwarding policy. Both of these differences are explicitly recited in the claims. Accordingly, it is believed that the presently claimed invention is clearly patentable over the teaching of United States Patent No. 6,473,421(Tappan). None of the other known prior art references provide the missing teaching.

In light of the foregoing, it is respectfully submitted that the presently claimed invention is clearly distinguishable over the teaching of the cited references, taken alone or in any combination. Thus, it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

AMENDMENT UNDER 37 CFR § 1.116
Serial No. 09/899,265

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,
Nevein T. Sultan, et al


By: Kent Daniels, P.Eng.
Reg. No. 44206
Attorney for the Applicants

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Ogilvy Renault LLP
Suite 1600
1981 McGill College Avenue
Montreal, Quebec
Canada, H3A 2Y3
(613) 780-8673